



# COMMONWEALTH OF MASSACHUSETTS

MIDDLESEX, SS.

## SPECIAL TOWN MEETING

To the Constable of the Town of Maynard, in said County,

### GREETINGS:

In the name of the Commonwealth of Massachusetts, you are hereby directed to notify and warn the voters of said Maynard, to assemble IN **FOWLER SCHOOL AUDITORIUM**, THREE TIGER DRIVE IN SAID town, on Monday, May 18, 2015 at 9:00 P.M. then and there to act on the following articles:

### SPECIAL NOTICE TO VOTERS

On Monday, May 11, 2015 at 7:00 P.M., a public hearing will be held at the Maynard Town Hall, Michael J. Gianotis Room, Room 201, to discuss with any citizen who desires further information, as to the recommended budget, and any special Articles in the Warrant to which the Finance Committee has made a recommendation. Explanation and discussion concerning these matters may be helpful in the interest of saving time at the Special Town Meeting. Your participation is welcome.

**Note:** Finance Committee recommendations were not available at time of printing. See Finance Committee website after May 4, 2015 at [www.townofmaynard-ma.gov/gov/committees/finance-committee](http://www.townofmaynard-ma.gov/gov/committees/finance-committee)

## **ADA ADVISORY**

Anyone in need of special arrangements for the Town Meeting, such as wheelchair arrangements or signing for the hearing impaired, please contact the Office of the Selectmen at (978) 897-1301 by May 8, 2015 in order for reasonable accommodations to be made.

## **PROCEDURES AT TOWN MEETING**

**Order of Articles:** Articles are voted on in the order they are presented unless Town Meeting votes to do otherwise.

**Secret Ballot Votes:** The Moderator determines whether or not an article requires a secret ballot according to Town By-laws. If the Moderator determines that an Open Vote applies to an article, at least 25 voters may request that a secret ballot vote be taken. The request for a secret ballot vote must be made prior to the open vote being taken.

**Amending an Article at Town Meeting:** Any time after a main motion has been made and seconded, but before being voted on, it is possible to amend the main motion:

1. Ask the Moderator for recognition.
2. Present a motion to amend verbally and submit a copy of the motion in writing to the Moderator. The motion to amend must include your name as sponsor, any change in appropriation and its source.
3. The motion to amend must be seconded.
4. The motion to amend must be voted on by Town Meeting separately from the main motion.
5. The motion to amend must pass by a simple majority vote.
6. More than one motion to amend can be made to the main motion, but must be presented and voted on one at a time. A motion to amend must be made before the main motion is voted on.
7. After all motions to amend are voted, the main motion, (or as amended), must be voted on.

**Reconsider an Article:** An article may be reconsidered, that is revoted, **only** within thirty (30) minutes of the time that the main article (motion) was voted on. An article can only be reconsidered once. To reconsider:

1. Ask the Moderator for recognition.
2. Ask for reconsideration within the thirty (30) minute time limit. The Moderator can now finish present business, which may go on beyond thirty (30) minute limit. However, The Moderator shall take up the reconsideration as the next order of business.
3. At the proper time, present your motion for reconsideration and state your name.
4. At the Moderator's option, he can move the motion without further discussion.

## **NECESSARY MAJORITIES\***

9/10 majority is required for unpaid bills of prior fiscal years (Special Town Meeting) that had no appropriation.

4/5 majority is required for unpaid bills of prior fiscal years, (Annual Town Meeting).

2/3 majority is required for all borrowing, land acquisitions or transfers and zoning by-laws.

Simple majority is required for all else, such as: regular By-laws, current appropriations and transfers, unpaid bills of prior years that have money appropriated but arrived too late to be included.

### **NOTE:**

Yes and No votes will only be considered in the calculation of percentages. To figure the percentage, divide the Yes votes by the total Yes and No votes.

Example: 100 Yes, 50 No, and 20 Blanks shall be interpreted as:

$$\frac{100 \text{ Yes}}{100 \text{ Yes} + 50 \text{ No}} = 66.7\% \text{ or } 2/3$$

\*Please note these vote quanta are for example only and there may be other types of votes, which fall under each of the categories listed above.

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## **ARTICLE: S-1      CERTIFIED FREE CASH APPROPRIATION**

To see if the town will vote to appropriate from certified free cash as of July 1, 2014 the sum of \$1,715,734.00 for the following general, capital and stabilization fund purposes and in the following amounts:

<b><u>PURPOSE</u></b>	<b><u>AMOUNT</u></b>
FY2015 Snow & Ice Deficit	\$ 780,000.00
Other Post-Employment Benefits (OPEB) Trust	\$ 135,015.00
General Fund Stabilization	\$ 135,014.00
Downtown Enhancement Funds	\$ 44,705.00
Fire Dept. Self-Contained Breathing Apparatus	\$ 176,000.00
Bombardier Sidewalk Plow/Attachments	\$ 165,000.00
Midsize F550 Dump Truck/Sander – DPW Highway.	\$ 75,000.00
Midsize F550 Dump Truck/Sander – DPW Cem. / Parks	\$ 75,000.00
Leaf Vac/Shredder – DPW	\$ 50,000.00
TA/DPW Street Light LED Upgrades	\$ 60,000.00
School Parking/Traffic Flow Assessment	\$ 20,000.00
<b>TOTAL APPROPRIATION</b>	<b>\$1,715,734.00</b>

To do or act thereon.

SPONSORED BY:                      Board of Selectmen  
APPROPRIATION:                  \$1,715,734.00  
FINCOM RECOMMENDATION:    At Town Meeting

## **ARTICLE: S-2      CERTIFIED FREE CASH APPROPRIATION – ASSABET RIVER RAIL TRAIL**

To see if the Town will vote to appropriate from certified free cash the sum of \$120,000.00 for the purchase of easements or real property interests for purposes of establishing, constructing, operating, maintaining, repairing and using a multi-use rail trail/bicycle path along, across, or abutting the former Boston & Maine Railroad Maynard Branch right-of-way and including appraisals, recordings, related engineering or legal costs.

To do or act thereon.

SPONSORED BY:                      Board of Selectmen  
APPROPRIATION:                  \$120,000.00  
FINCOM RECOMMENDATION:    At Town Meeting

### **Comments:**

This article authorizes the Town to acquire, using certified free cash, the necessary and appropriate real property interests to establish the Assabet River Rail Trail (ARRT) in Maynard, including but not

limited to the full length and width of the former Boston & Maine railroad right-of-way in Maynard from the Acton/Maynard town line to the Stow/Maynard town line, comprising approximately +/- 2.3 miles.

### **ARTICLE: S-3      RESERVE FOR OVERLAY RELEASE APPROPRIATION**

To see if the town will vote to transfer and appropriate the following sums of money for the purpose listed, from the fund balance reserved for overlay released:

<b><u>PURPOSE</u></b>	<b><u>AMOUNT</u></b>
School Department Technology Grant Match	\$103,500.00

To do or act thereon.

SPONSORED BY:                      Board of Selectmen  
APPROPRIATION:                    \$103,500.00  
FINCOM RECOMMENDATION:      At Town Meeting

### **ARTICLE: S-4      WATER RETAINED EARNINGS**

To see if the town will vote to transfer from “Water Retained Earnings” the sum of \$310,000.00, with said funds to be used for Steel Building Water/Sewer Division Storage, Midsize F550 Dump Truck/Sander, Water Main Valves & Gates Replacement and Fire Hydrant Replacement.

<b><u>PURPOSE</u></b>	<b><u>AMOUNT</u></b>
Steel Building Water/Sewer Division Storage	\$160,000.00
Midsize F550 Dump Truck/Sander	\$75,000.00
Water Main Valves & Gates Replacement	\$50,000.00
Fire Hydrant Replacement	\$25,000.00
<b>TOTAL APPROPRIATION</b>	<b>\$310,000.00</b>

To do or act thereon.

SPONSORED BY:                      Department of Public Works  
APPROPRIATION:                    \$310,000.00  
FINCOM RECOMMENDATION:      At Town Meeting

### **ARTICLE: S-5      SEWER RETAINED EARNINGS**

To see if the town will vote to transfer from “Sewer Retained Earnings” the sum of \$365,000.00, with said funds to be used for Sewer System Drainage Improvements, Fire Alarm System

Installation at Waste Water Treatment Plant and Sewer Pump House Mechanical System Upgrades.

<b><u>PURPOSE</u></b>	<b><u>AMOUNT</u></b>
Sewer System Drainage Improvements	\$250,000.00
Fire Alarm System Installation at WWTP	\$75,000.00
Pump House Mechanical System Upgrades	\$40,000.00
<b>TOTAL APPROPRIATION</b>	<b>\$365,000.00</b>

To do or act thereon.

SPONSORED BY: Department of Public Works  
APPROPRIATION: \$365,000.00  
FINCOM RECOMMENDATION: At Town Meeting

**ARTICLE: S-6      COMMUNITY PRESERVATION FUND RESERVE  
APPROPRIATION**

To see if the Town will vote to appropriate from Community Preservation Funds the amounts recommended by the Community Preservation Committee (CPC) for community preservation projects, as presented to the CPC, with each item to be considered a separate appropriation, in accordance with the requirements of Massachusetts General Laws Chapter 44B:

**Appropriations:**

***From Open Space Reserve Fund***

For the Fowler, with unexpended funds as of June 30, 2017 being returned to their funding sources.

**\$ 100,000.00**

***From Open Space Reserve Fund***

For the Green Meadow Playground Project, with unexpended funds as of June 30, 2017 being returned to their funding sources.

**\$ 50,000.00**

***From the Historical Resources Fund***

For the Alumni Field House Renovation Study, with unexpended funds as of June 30, 2017 being returned to their funding sources.

**\$ 30,000.00**

***From the Unreserved Fund***

To fund the Memorial Park Redesign and Revitalization Project, with unexpended funds as of June 30, 2017 being returned to their funding sources.

**\$ 30,000.00**

***From the Historical Resources Fund***

For the Town Hall Historic Artifacts Preservation Project, with unexpended funds as of June 30, 2017 being returned to their funding sources.

**\$ 14,000.00**

***From the Historical Resources Fund***

For the Coolidge School Reuse Task Force, with unexpended funds as of June 30, 2016 being returned to their funding sources.

**\$ 20,000.00**

***From Open Space Reserve Fund***

For the Maynard Conservation Trust Fund.

**\$ 25,000.00**

***From the Budgeted Reserve Fund***

To fund the Assabet River Rail Trail Easement Funding.

**\$ 60,000.00**

**TOTAL APPROPRIATION**

**\$329,000.00**

To do or act thereon.

SPONSORED BY:	Community Preservation Committee
APPROPRIATION:	\$329,000.00
FINCOM RECOMMENDATION:	At Town Meeting

**ARTICLE: S-7      ACTON STREET – ZONING DESIGNATION CHANGE**

To see if the Town will vote to amend the “Zoning Map of Maynard” referred to under Section Two of the Protective Zoning By-law, as amended by changing the zoning designation from “Industrial” and “S1 Single Residence District” to a “General Residence” zoning district for the property located at 129 Acton Street (Assessor’s Map 5, Parcels 72, 73 and 95) legal descriptions as follows:

The real property known as Acton Street and Brown Street, Maynard MA more particularly described as follows:

Parcel I

That certain parcel of land situated on Brown Street in Maynard, Middlesex County, Massachusetts shown as “Parcel B containing 52,800 +/- sf on a plan of land entitled Plan of Land in Maynard Owned by Town of Maynard” prepared by Acton Survey and Engineering Inc. which is recorded with the Middlesex South

Registry of Deeds as Plan No. 160 of 1984 in Record Book 15442 at Page 248 to which plan reference is made for a more particular description of said parcel.

## Parcel II

The land in Maynard with the buildings thereon containing two and  $\frac{3}{4}$  (2-  $\frac{3}{4}$  ) acres, more or less, situated in said Maynard, on the Easterly side of the road leading from said Maynard to South Acton now called Acton Street, bounded and described as follows:

Beginning at the Northwesterly corner of the premises at the corner of a wall at land now or formerly of Joel F. Parmentor and said road; thence running Southerly by said road about twenty-eight (28) rods to a wall at land now or formerly of George E. Brown; thence South 50° East by land of said Brown, twenty (20) rods and twenty (20) links to a corner of a wall at the Marlboro Branch Railroad; thence running North 3° 25' East by said Railroad, twenty-eight (28) rods to a corner of a wall at land now or formerly of said Parmentor; thence running Westerly by land of said Parmentor to the point of beginning.

Also a triangular shaped parcel of land, situated on the Easterly side of Acton Street, in said Maynard, and shown as Lot 2, contain three-fourths of an acre, more or less, on a Plan entitled "Part of Parentor Farm in Maynard, surveyed for Martin Peterson by Nora F. Tuttle; August, 1924; said plan recorded with Middlesex South District Deeds, Book 347, Plan No.8, and bounded and described as follows:

Westerly: by the wall on the Easterly side of Acton Street, one hundred eighty-eight (188) feet;

Easterly: by land of Boston and Maine Railroad, two hundred forty-five (245) feet;

Southerly: by land now or formerly of John Deane, one hundred fifty four (154) feet.

To do or act thereon.

SPONSORED BY:	Planning Board
APPROPRIATION:	None
FINCOM RECOMMENDATION:	At Town Meeting

## **Comments:**

See Attachment: Appendix "A" through "E". The subject property is located immediately south of the northern intersection of Acton Street and Brown Street (Highway 27), 4.4 acres and is currently zoned for industrial uses. The applicant is requesting to utilize the vacant property for residential development. The property is surrounded by residential zoning districts on three sides. The existing cell tower will remain as a pre-existing non-conforming use.

**ARTICLE: S-8      PURCHASE OF REAL PROPERTY**

To see if the town will vote to transfer a sum of THREE HUNDRED THOUSAND AND NO/100's DOLLARS (\$300,000.00) from the Capital Stabilization Fund for the acquisition, including legal and engineering costs and other costs associated with said acquisition, of a parcel of land located at 23 River Street, currently owned by NE Realty Trust, Edward Quinn, Trustee and consisting of approximately .212 +/- acres, more or less, which land shall be in the care custody and control of the Board of Selectmen for general municipal purposes. And further that the Board of Selectmen is authorized to purchase said property and enter into all agreements and to execute any and all instruments as may be necessary on behalf of The Town of Maynard to affect said purchase or action in relation thereto.

To do or act thereon.

SPONSORED BY:                      Board of Selectmen  
APPROPRIATION:                    \$300,000.00  
FINCOM RECOMMENDATION:      At Town Meeting

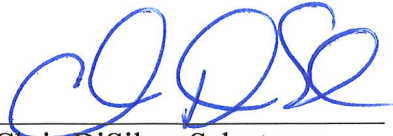
**ARTICLE: S-9      TRANSFER OF COOLIDGE SCHOOL TO BOARD OF  
SELECTMEN**

To see if the Town will vote to transfer the care, custody and control of the property and building thereon including all improvements, known as the Coolidge School located at 12 Bancroft Street, Maynard and which includes 2.478 acres +/- and also identified as Town of Maynard Assessor's Map 20- Lot 234 from the School Committee to the Board of Selectmen for general municipal purposes, or to take any other action thereon.

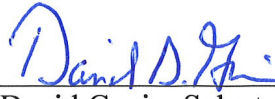
To do or act thereon.

SPONSORED BY:                      Board of Selectmen  
APPROPRIATION:                    None  
FINCOM RECOMMENDATION:      At Town Meeting

Given under our hands this **21<sup>st</sup>** day of April in the year of Two Thousand and Fifteen.



Chris DiSilva, Selectman



David Gavin, Selectman



Jason Kreil, Selectman



William Cranshaw, Selectman



Tim Egan, Selectman

A true copy, Attest

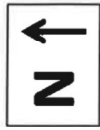


Michael Albanese

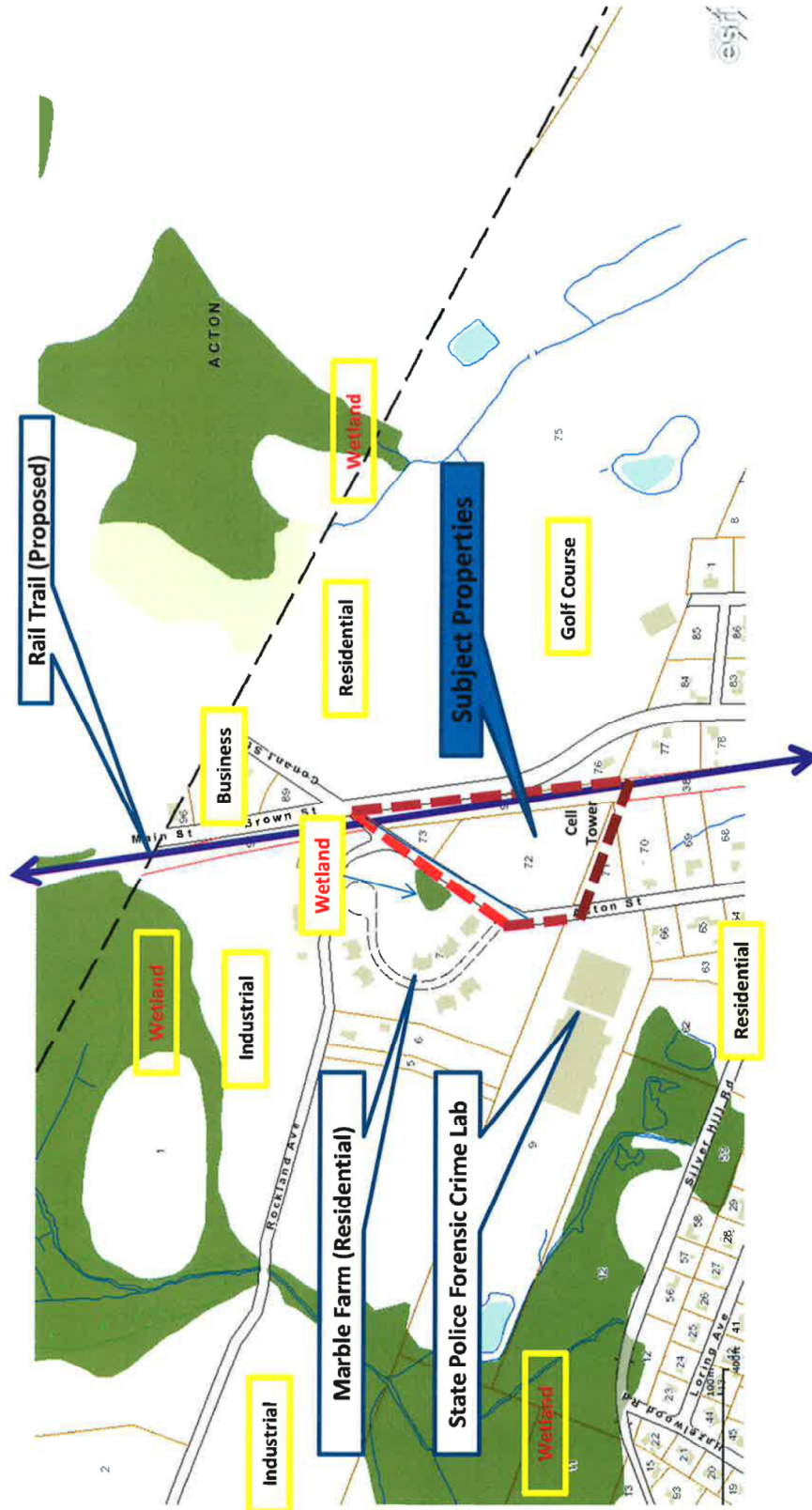
Constable of Maynard.



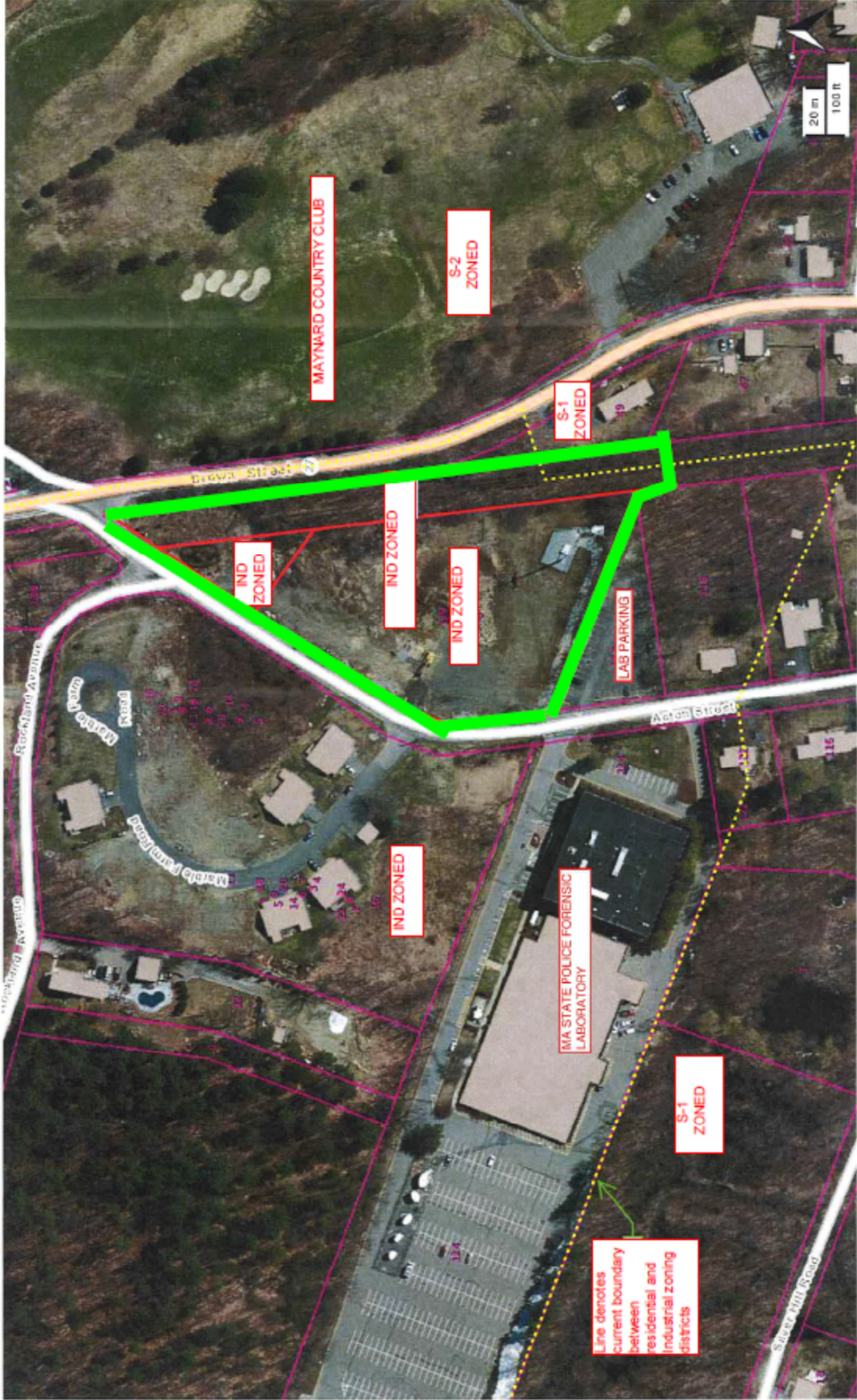




## APPENDIX "B" SURROUNDING USES



APPENDIX "C" AERIAL





**APPENDIX "D" CONCEPTUAL  
RESIDENCE DESIGNS  
129 ACTON STREET**

**1,850 +/- First & Second Floor**

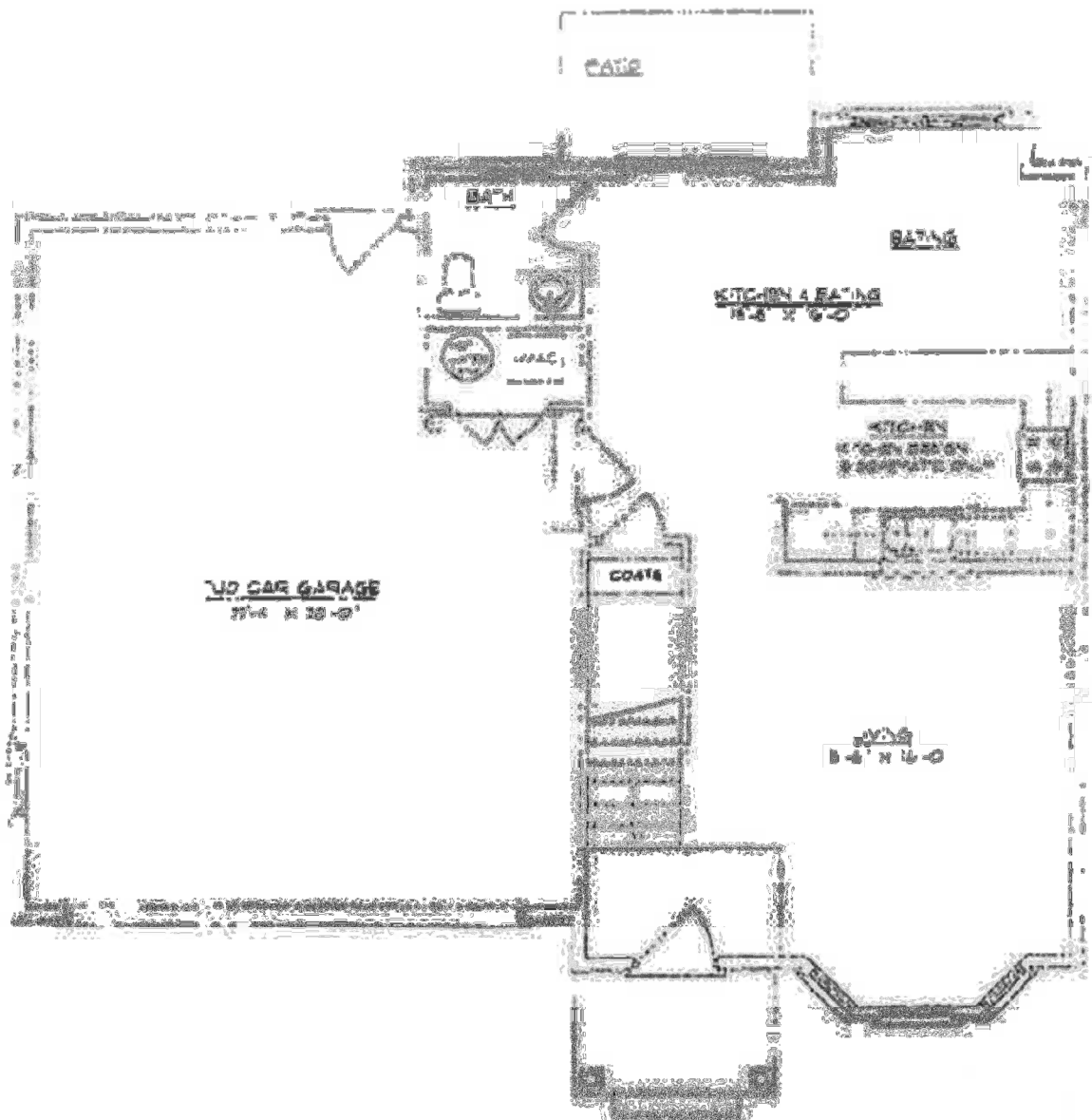
**400 +/- Attic Area**

**2,250 +/- Total Area**



**FRONT ELEVATION - Two (2) car garage**

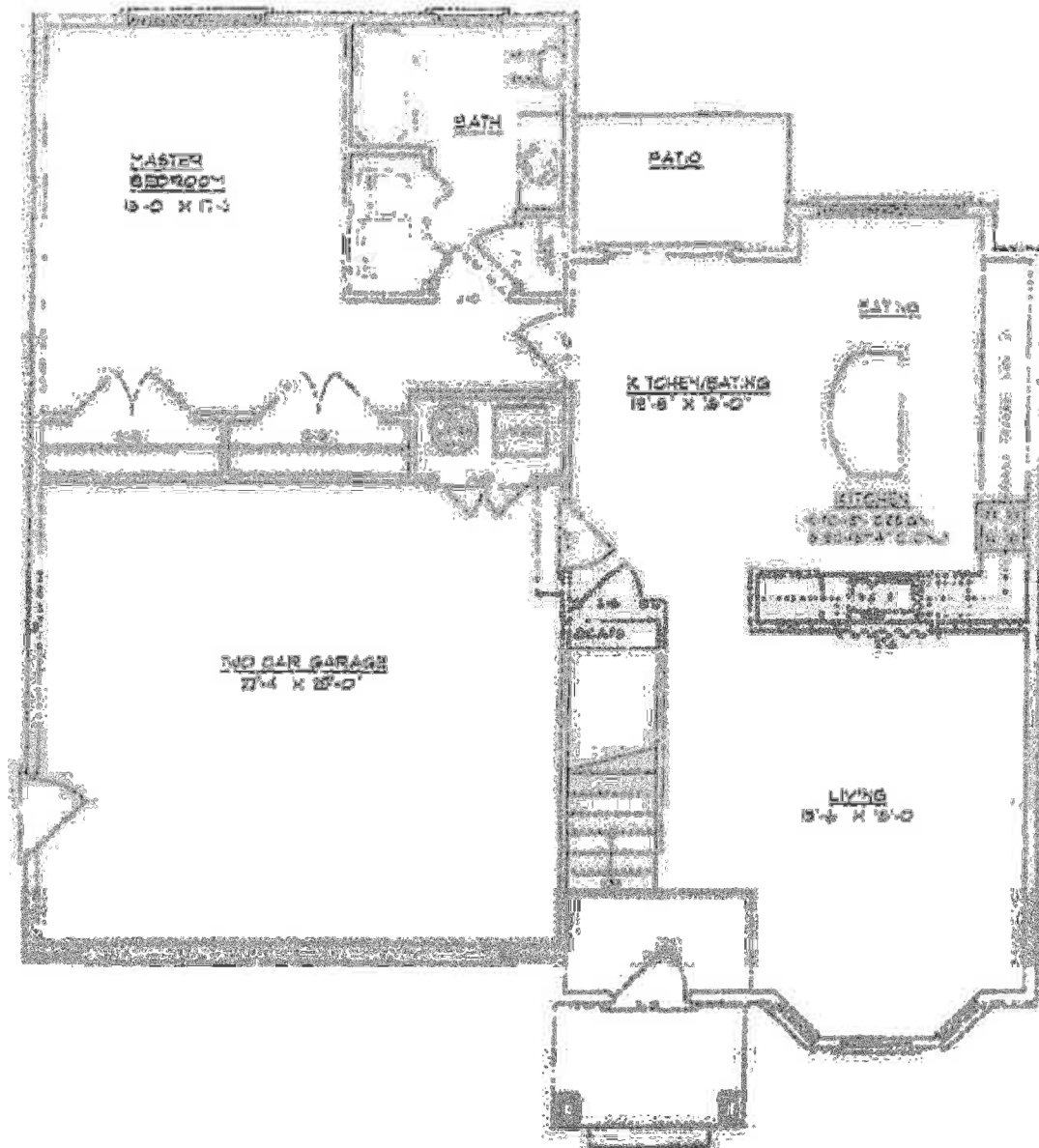
**ELEVATION IS CONCEPTUAL ONLY AND  
MAY DIFFER FROM ACTUAL CONSTRUCTION**



**FIRST FLOOR PLAN**  
 ELEVATION IS CONCEPTUAL ONLY AND  
 MAY DIFFER FROM ACTUAL CONSTRUCTION

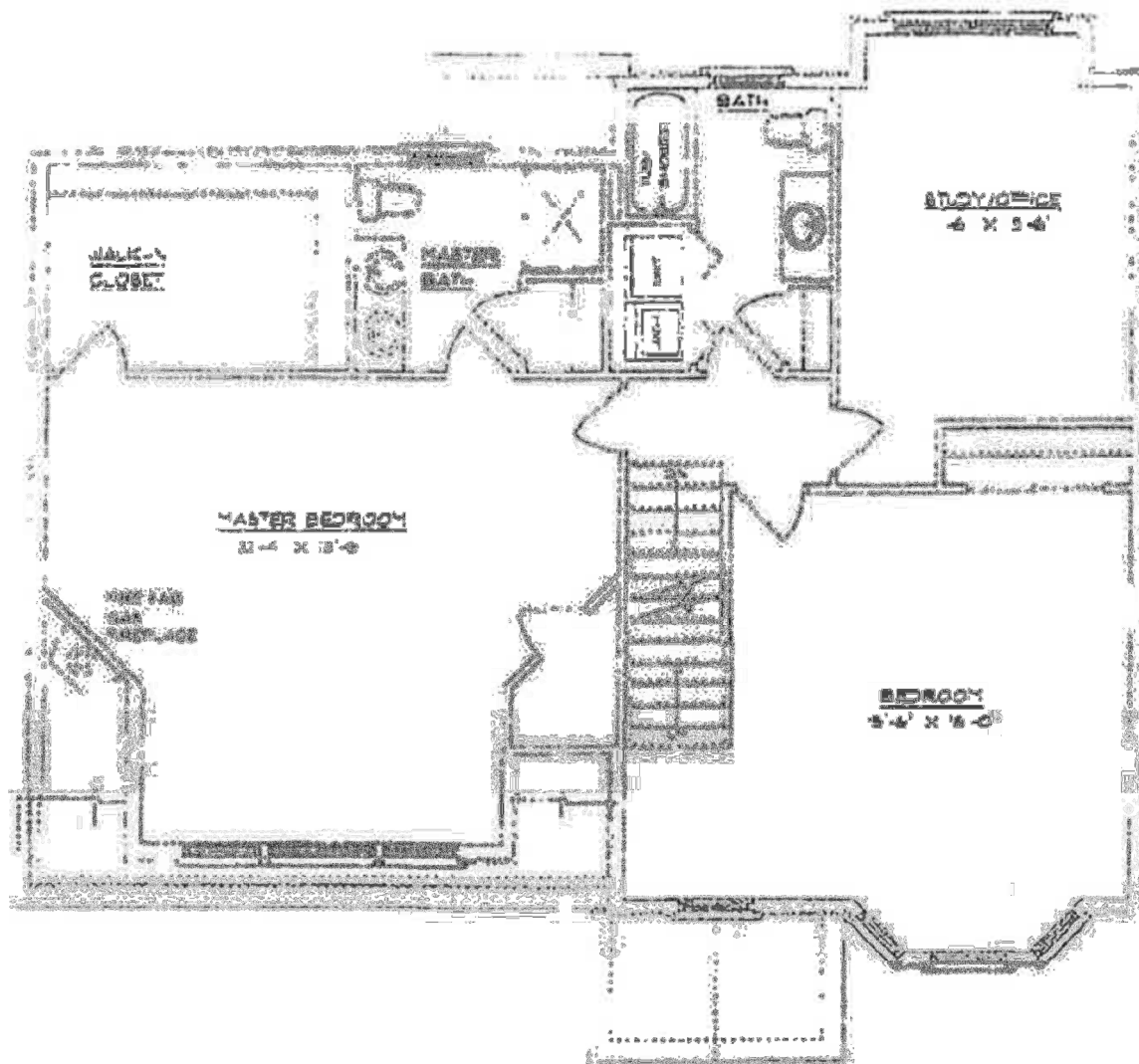
## OPTIONAL FIRST FLOOR PLAN

2 Car Garage - 1st Floor Bedroom

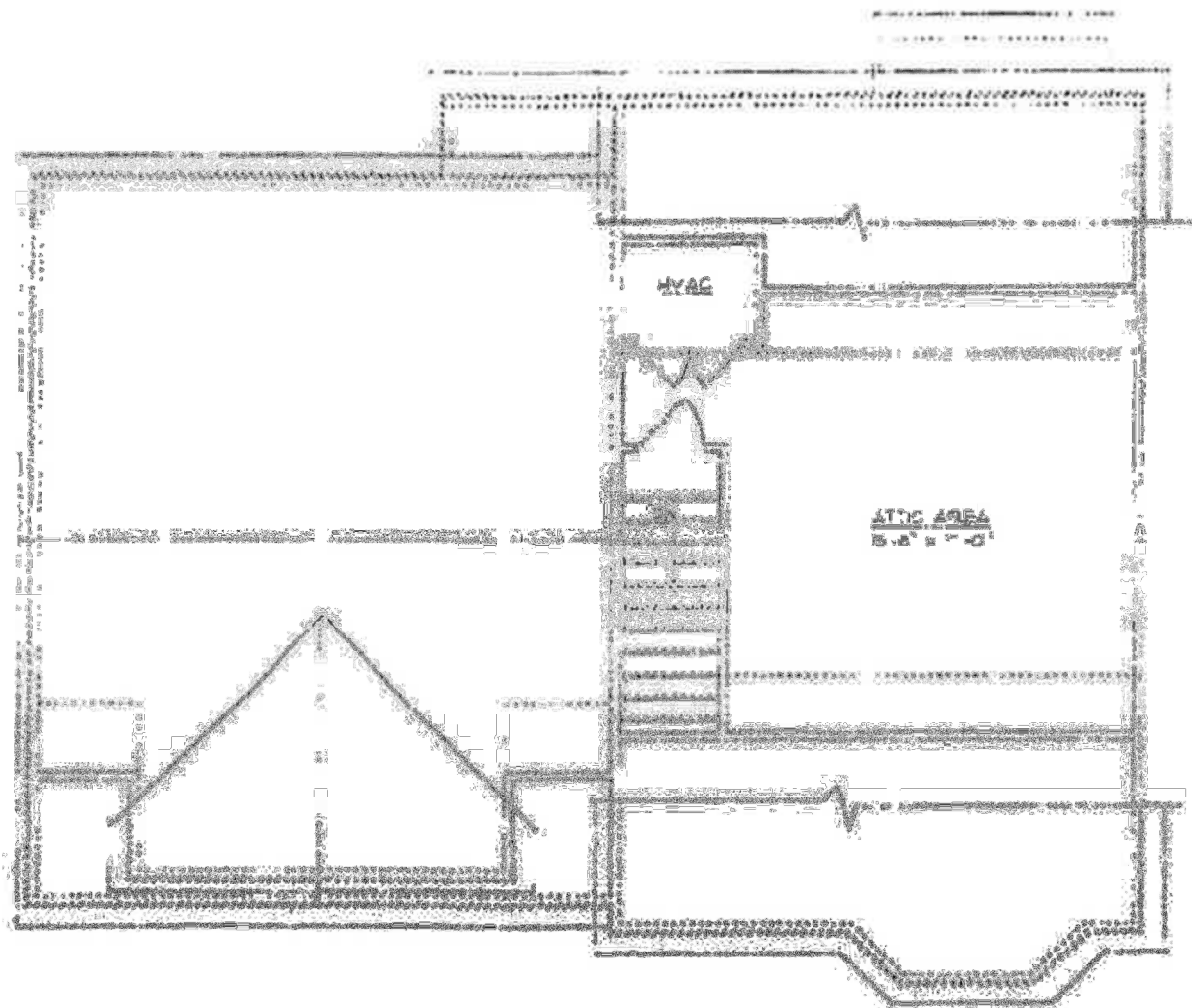


## FIRST FLOOR PLAN

ELEVATION IS CONCEPTUAL ONLY AND  
MAY DIFFER FROM ACTUAL CONSTRUCTION



**SECOND FLOOR PLAN**  
ELEVATION IS CONCEPTUAL ONLY AND  
MAY DIFFER FROM ACTUAL CONSTRUCTION



**ATTIC FLOOR PLAN**  
ELEVATION IS CONCEPTUAL ONLY AND  
MAY DIFFER FROM ACTUAL CONSTRUCTION

**2,150 +/- First & Second Floor**

**400 +/- Attic Area**

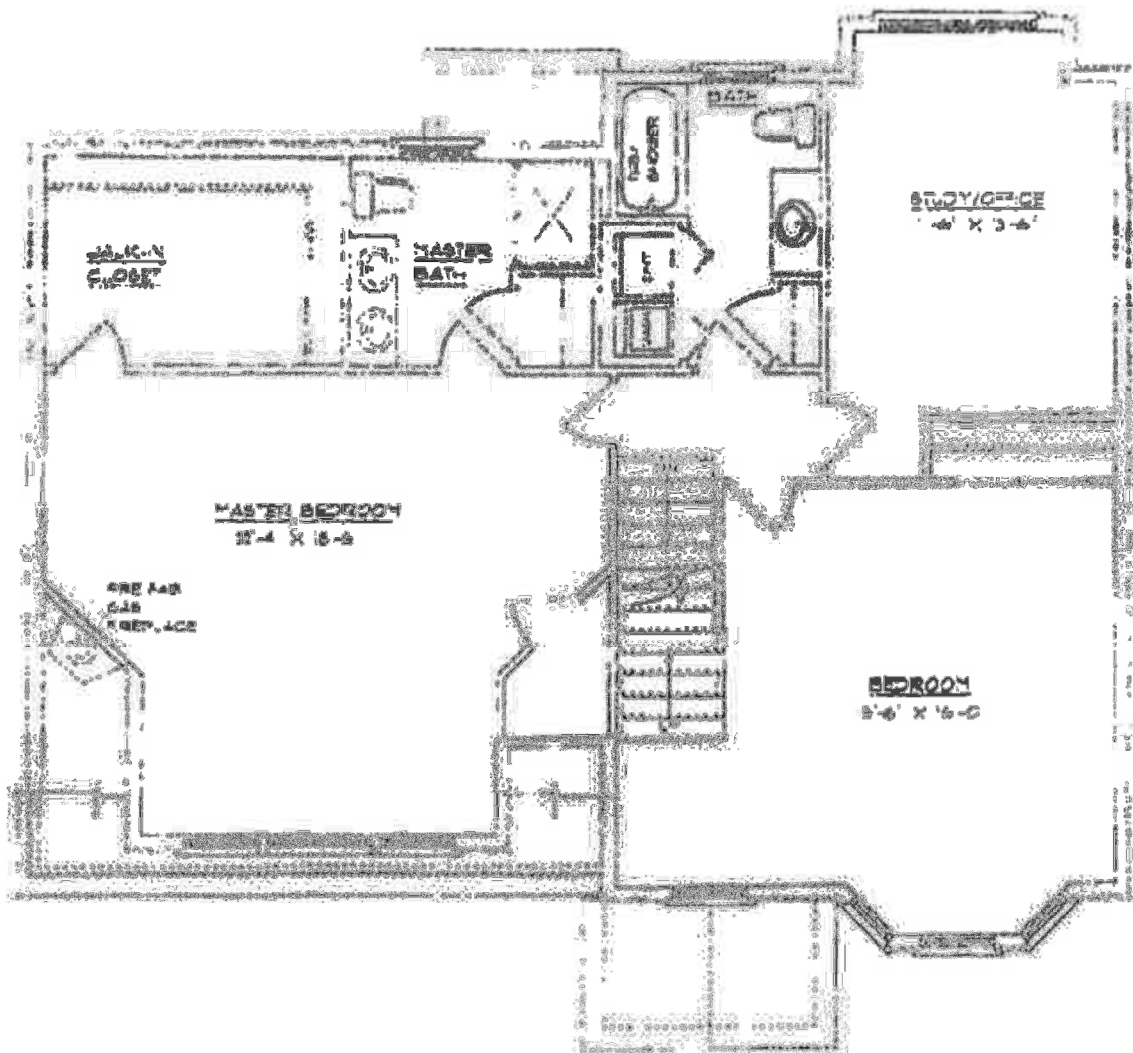
**2,550 +/- Total Area**



**FRONT ELEVATION - First Floor Bedroom, one (1) car garage**

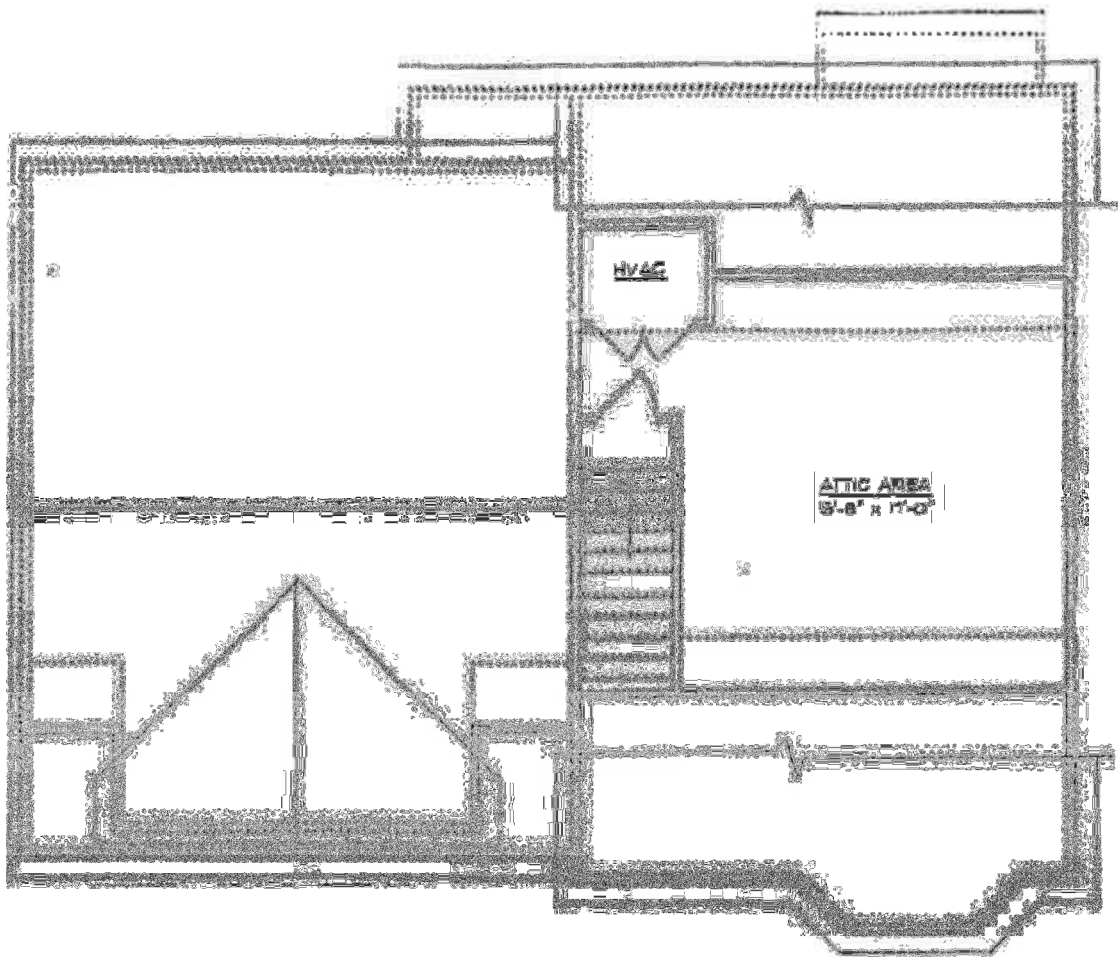






## SECOND FLOOR PLAN

ELEVATION IS CONCEPTUAL ONLY AND  
MAY DIFFER FROM ACTUAL CONSTRUCTION



### ATTIC FLOOR PLAN

ELEVATION IS CONCEPTUAL ONLY AND

MAY DIFFER FROM ACTUAL CONSTRUCTION

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